



**IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA**

**ROBERT BRELAND, JR.; JESSICA  
BRELAND; and O.B., a minor child,  
by and through his mother and  
next friend, JESSICA BRELAND,**

**Plaintiffs,**

**VS.**

**CV-2017-\_\_\_\_\_**

**CITY OF GULF SHORES, ALABAMA;  
MARK PERKINS; DAVID DRYER;  
RALPH PEREDA; ALBERT "JASON"  
BYRD; DEQUINTON CLARK;  
REBECCA WALKER; and fictitious  
Defendants A-F, any other person, entity,  
or actor whose wrongful conduct caused  
harm to the Plaintiffs,**

**Defendants.**

**JURY TRIAL DEMANDED**

**COMPLAINT**

COMES NOW the Plaintiffs, ROBERT BRELAND, JR., JESSICA BRELAND, AND O.B., a minor child, by and through his mother and next friend, JESSICA BRELAND, and brings this cause of action against THE CITY OF GULF SHORES, MARK PERKINS, DAVID DRYER, RALPH PEREDA, ALBERT "JASON" BYRD, DEQUINTON CLARK, REBECCA WALKER, and A, B, C, D, E, and F, the person(s), entity(ies), or actor(s) whose wrongful conduct caused harm to the Plaintiffs, all of which whose names are presently unknown but will be substituted by amendment when ascertained. As grounds for said claim, the Plaintiffs state as follows:

**PARTIES**

1. The Plaintiff, ROBERT BRELAND, JR., is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

2. The Plaintiff, JESSICA BRELAND, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

3. The Plaintiff, O.B., is a minor child and is filing this Complaint by his mother and next friend, JESSICA BRELAND. O.B. is at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

4. The Defendant, CITY OF GULF SHORES, is an Alabama municipal corporation located in Baldwin County, Alabama.

5. The Defendant, MARK PERKINS, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Mobile County, Alabama.

6. The Defendant, DAVID DRYER, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

7. The Defendant, RALPH PEREDA, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

8. The Defendant, ALBERT "JASON" BYRD, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

9. The Defendant, DEQUINTON CLARK, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

10. The Defendant, REBECCA WALKER, is over the age of nineteen (19) years and, at all times relevant to the facts set forth herein, a resident of Baldwin County, Alabama.

11. At this time the Plaintiffs do not know the identity or place of residency of fictitious parties A-F.

12. Prior to the bringing of this action Plaintiffs filed a written Notice of Claim Pursuant to *Alabama Code* §11-47-192 (1975) with the City Clerk of the City of Gulf Shores on or about December 6, 2016, a copy of which is attached hereto as Plaintiffs' Exhibit 1.

13. Venue and jurisdiction is proper in this Court.

### **STATEMENT OF THE FACTS**

14. On or about September 24, 2016, the Plaintiffs were at a Gulf Shores little league football game at Robertsdale Stadium. Joseph and Jessica Breland set up a canopy in the stands for the pregnant football mom(s) and for elderly grandparent spectators to sit under during the game.

15. Rebecca Walker's (hereinafter "Walker") children came and sat under the canopy prior to the start of the football game.

16. Jessica Breland was also sitting under the canopy, and told Walker's children that they could sit there for now, but that once the pregnant and elderly spectators arrived, they would have to give up their seats under the canopy. Walker's children left a few minutes later.

17. In the middle of the football game, Walker came over to Mrs. Breland and verbally assaulted her by getting within inches of Mrs. Breland's face and calling her a "fucking bitch" and telling her, "You wanna go Goddamn ghetto, we'll go Goddamn ghetto."

18. Walker's screaming and cursing lasted about three to five minutes and caused such a commotion that the football players on the field stopped playing, and the entire game was halted.

19. When the referees told the Gulf Shores little league head football coach, Albert “Jason” Byrd (hereinafter “Byrd”), to settle Walker down, Byrd defended Walker’s actions by telling the referees that she was a coach’s wife, as if that made what she was doing alright. Walker is the wife of Defendant, Dequinton Clark (hereinafter “Clark”), who was an assistant Gulf Shores little league football coach at that time.

20. At the time, Mrs. Breland’s husband was also an assistant coach to the same Gulf Shores little league football team.

21. It was not until the referees threatened to end the game and eject the entire Gulf Shores little league football team from the stadium that Coach Byrd finally went over to Walker and told her to “shut up.”

22. Ms. Walker’s unwarranted and iniquitous reason for attacking Mrs. Breland was because Mrs. Breland asked Ms. Walker’s daughters to give up the seats where they were sitting under Mrs. Breland’s canopy so that a pregnant woman and some elderly spectators could sit under the canopy, but Coach Byrd was more concerned that Ms. Walker was a coach’s wife.

23. Knowing that Walker has a history over the last two prior football seasons of coming onto the practice field, screaming and cursing at coaches and in front of the kids, and knowing what she had done at the game on September 24, 2016, City employees still allowed Walker to continue coming to practices and games.

24. As could be expected from her past behavior, on or about October 3, 2016, Walker was allowed to walk onto the practice field during practice where she once again began screaming and cursing in front of the coaches, players, and parents, saying, “I’ve got to get the fuck out of here before I blow my Goddamn stack. I’m so sick of this bitch.”

25. Mrs. Breland made numerous complaints to Mark Perkins (hereinafter “Perkins”) , the Athletic Coordinator for the City of Gulf Shores about Walker’s behavior, and Perkins’ supervisor, Ralph Pereda (hereinafter “Pereda”) also knew of Walker’s outbursts and attacks in front of the children.

26. Perkins and Pereda ignored Mrs. Breland’s complaints, and allowed Walker to continue to come to practices and games.

27. At the Gulf Shores little league football practices, and in addition to Walker’s outrageous outbursts, Coach Byrd regularly cursed in front of his players, and even made derogatory comments in the huddle about Mrs. Breland in front of O.B., who is Mrs. Breland’s son and one of the young players who played football for Coach Byrd.

28. Also at practices, Coach Clark smoked on the practice field in front of the young players and cursed at them.

29. David Dryer (hereinafter “Dryer”), a City of Gulf Shores recreation employee, was assigned to monitor the Gulf Shores little league football practices and games.

29. Dryer spend most of his time at practices sitting in his vehicle and not paying attention to the practices, thus the curseing, smoking, and screaming was allowed to continue.

30. In addition to Mr. Breland being one of the Gulf Shores assistant little league football coaches, Mrs. Breland was the team mom.

31. At some point Coach Byrd decided that he did not want Mrs. Breland to be the team mom anymore because he sided with Coach Clark’s wife, Ms. Walker, regarding her outbursts and did not like that Mrs. Breland was complaining to Mark Perkins about Walker. However, Coach Byrd never told Mrs. Breland that she was not the team mom anymore, but he did let her

spend her own money and time planning an end of the year team party, all the while knowing that he was going to have a team party at a different location.

32. The Breland's found out from the City of Gulf Shores that she was no longer the team mom, and at one practice towards the end of the season, ROBERT BRELAND, JR. confronted Coach Byrd about it in the parking lot before practice started. While Dryer was sitting in his vehicle, ROBERT BRELAND, JR. called Coach Byrd a coward for not being up front about Mrs. Breland not being team mom anymore. At that practice, Coach Byrd and Coach Breland ran the practice with no further incidents.

33. At some point after that practice, Byrd lied and reported to the City of Gulf Shores that Coach Breland had threatened him and cursed him, none of which really happened. Also, Dryer lied and told Mark Perkins that he heard the threats. ROBERT BRELAND, JR. did not know yet that these lies had been told about him.

34. Perkins, with the knowledge and support of Pereda banned Coach Breland and O.B. the minor child, from participating in any further practices or games, but they failed to notify Coach Breland or O.B. Byrd and Dryer did have knowledge of this fact, however.

35. Just before the game in Fairhope, Coach Byrd told Coach Breland to be at the Fairhope field by 5:00 p.m. for the game.

36. When Coach Breland and his son, O.B. arrived at the game in Fairhope, they were met by Dryer, who told them both that they were banned from all further games and practices. Dryer also told them that he needed O.B.'s uniform and pads immediately. Coach Breland offered to leave, but to let O.B. play in the game and stay there with O.B.'s grandparents. Dryer refused.

37. Coach Breland offered to bring the pads and equipment to the Gulf Shores Recreation Center so that O.B. would not have to strip down to his underwear in front of his entire team. Dryer refused and demanded O.B.'s pads and uniform, publicly humiliating him.

38. Dryer forced O.B. to strip down to his underwear, and O.B. had to ride all the way home in his underwear.

39. This incident as well as the actions of Walker caused great emotional distress to the Plaintiffs, even causing physical illness.

40. The Defendants willfully and wantonly publicly humiliated the Plaintiffs and damaged their reputations in the community.

41. By the City of Gulf Shores' standard the City should have protected Jessica Breland, as she was the team mom and was also a coach's wife, and Joe Breland was actually a coach.

42. The City of Gulf Shores did not perform a background check on Dequinton Clark, and despite Clark being a convicted cocaine dealer, allowed him to coach young children.

43. Very importantly, O.B., the child, was never a part of any incident which took place at practices or at games. That did not stop Coach Byrd from cursing at the kids, including O.B., and saying bad things about his family to the team in front of him in an attempt to publicly embarrass him in front of his teammates.

44. The Defendants' actions and omissions have caused great injury to the Plaintiffs. All of the Breland family members have suffered severe emotional distress because of the actions and omissions of Mark Perkins, David Dryer, Ralph Pereda, league coaches, and other city employees and/or representatives. Such actions were so outrageous in character and extreme in

degree as to go beyond all possible bounds of decency, and are to be regarded as atrocious and utterly intolerable in a civilized society.

45. All of their reputations in the community have been damaged. Jessica Breland has suffered from Petechia, a physical illness, because of the Defendants' actions and omissions. O.B. had to seek professional counseling due to the severe mental trauma the Defendants caused.

### **FIRST CAUSE OF ACTION**

#### **(OUTRAGE - AGAINST ALL DEFENDANTS)**

46. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

47. That the Defendants' actions and omissions as outlined in the facts here preceding were reckless and outrageous and that it caused emotional distress so severe to Plaintiffs that no reasonable person could be expected to endure it.

48. That the Defendants' actions and omissions as outlined in the facts preceding were so outrageous in character and extreme in degree as to go beyond all possible bounds of decency, and are to be regarded as atrocious and utterly intolerable in a civilized society.

49. The Plaintiffs' suffered severe emotional distress as a direct and proximate result of the Defendants' actions and omissions, and Jessica Breland suffered physical illness.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendants, for compensatory and punitive damages in the amount of \$250,000,000.00, plus interest and costs, and any other relief as is just and proper.

### **SECOND CAUSE OF ACTION**

#### **(HARASSMENT - AGAINST REBECCA WALKER)**



50. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

51. That Rebecca Walker harassed Jessica Breland when she verbally assaulted her by getting within inches of Mrs. Breland's face and calling her a "fucking bitch" and telling her, "You wanna go Goddamn ghetto, we'll go Goddamn ghetto."

52. That Walker's actions put Mrs. Breland in reasonable fear for her own safety.

53. That Walker's actions were reckless, willful and wanton.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendant, for compensatory and punitive damages in the amount of \$250,000,000.00, plus interest and costs, and any other relief as is just and proper.

### **THIRD CAUSE OF ACTION**

#### **(SLANDER - AGAINST ALBERT JASON BYRD and DAVID DRYER)**

54. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

55. Byrd made a false, slanderous and defamatory statement of and concerning ROBERT BRELAND, JR., to wit: Byrd made a false accusation against ROBERT BRELAND, JR. to employees of the City of Gulf Shores claiming that ROBERT BRELAND, JR. had cursed at him and made threats to him. Dryer lied and told other employees of the City of Gulf Shores that he heard ROBERT BRELAND, JR. curse and make threats to Byrd.

56. As a direct and proximate result of Byrd and Dryer's false, slanderous and defamatory statements, ROBERT BRELAND, JR. was damaged by being banned from coaching and attending his son's little league football games. ROBERT BRELAND, JR. was further damaged when he was publicly humiliated by Dryer at the Fairhope fields and had to watch his own son be humiliated as well.

57. As a direct and proximate result of Byrd and Dryer's false, slanderous and defamatory statements, O.B. was damaged by being banned from playing in any more little league football games and practices. O.B. was further damaged when he was forced by Dryer to remove all of his equipment, pads and uniform and was forced to strip down to his underwear in front of his peers.

58. As a direct and proximate result of Byrd and Dryer's false, slanderous and defamatory statements, Jessica Breland was damaged by knowing that her own child had to endure such outrageous behavior.

59. Defendants claim punitive damages of Byrd and Dryer. Defendants aver that pursuant to the Code of Alabama (1975) § 6-5-186, Defendants requested that Byrd and Dryer publish a retraction of said statements, and that Byrd and Dryer wrongfully refused to retract the same.

60. When Byrd and Dryer made said statement, Byrd and Dryer knew they were false, or Byrd and Dryer made said statements with reckless and gross disregard as to whether the said statement was true or false.

WHEREFORE, premises considered, Plaintiffs demand judgment against Byrd and Dryer, for compensatory and punitive damages in the amount of \$250,000,000.00, plus interest and costs, and any other relief as is just and proper.

#### **FOURTH CAUSE OF ACTION**

#### **(LIABLE - AGAINST MARK PERKINS)**

61. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

62. Perkins published a false, libelous and defamatory statement of and concerning ROBERT BRELAND, JR., to wit: Perkins published a letter reiterating Byrd and Dryer's false, slanderous and defamatory statements and accusing Breland of violating league policy. Said letter was published to Grant Brown, Matt Young, Nicole Ard, and Ralph Pereda.

63. As a direct and proximate result of Perkin's false, libelous and defamatory statements, ROBERT BRELAND, JR. was damaged by being banned from coaching and attending his son's little league football games. ROBERT BRELAND, JR. was further damaged when he was publicly humiliated by Dryer at the Fairhope fields and had to watch his own son be humiliated as well.

64. As a direct and proximate result of Perkins's false, libelous and defamatory statements, O.B. was damaged by being banned from playing in any more little league football games and practices. O.B. was further damaged when he was forced by Dryer to remove all of his equipment, pads and uniform and was forced to strip down to his underwear in front of his peers.

65. As a direct and proximate result of Perkins's false, libelous and defamatory statements, Jessica Breland was damaged by knowing that her own child had to endure such outrageous behavior.

66. Defendants claim punitive damages of Perkins. Defendants aver that pursuant to the Code of Alabama (1975) § 6-5-186, Defendants requested that Perkins publish a retraction of said statements, and that Perkins wrongfully refused to retract the same.

67. When Perkins published said letter, Perkins knew the statements contained in the letter were false, or Perkins published said statements with reckless and gross disregard as to

whether the said statements were true or false.

WHEREFORE, premises considered, Plaintiffs demand judgment against Perkins, for compensatory and punitive damages in the amount of \$250,000,000.00, plus interest and costs, and any other relief as is just and proper.

### **FIFTH CAUSE OF ACTION**

**(NEGLIGENCE - AGAINST THE CITY OF GULF SHORES,**

**ALBERT JASON BYRD, RALPH PEREDA, MARK PERKINS, and DAVID DRYER)**

68. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

69. Each of the Defendants in this count had a duty to protect the children by making sure to perform a background check on Dequinton Clark.

70. The City of Gulf Shores, Ralph Pereda, Mark Perkins, Albert Jason Byrd, and David Dryer breached their duty of care when they failed to make sure Dequinton Clark passed a background check before coaching and allowed a known convicted cocaine dealer to coach a Gulf Shores little league football team.

71. Plaintiffs were damaged as a direct and proximate result of Defendants negligence.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendants, plus interest and costs, and any other relief as is just and proper.

### **SIXTH CAUSE OF ACTION**

**(NEGLIGENT HIRING - AGAINST THE CITY OF GULF SHORES)**

72. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

73. The actions of the City of Gulf Shores in negligently hiring Ralph Pereda, Mark Perkins, and David Dryer were careless, neglectful, and reckless. As such, said actions and inactions of the City of Gulf Shores, Ralph Pereda, Mark Perkins, and David Dryer constituted negligence against the Plaintiffs.

74. As a proximate result of said negligence, plaintiffs were caused physical injury, apprehension, fear, mental anguish, embarrassment, and humiliation.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendants, plus interest and costs, and any other relief as is just and proper.

#### **SEVENTH CAUSE OF ACTION**

##### **(NEGLIGENT TRAINING - AGAINST THE CITY OF GULF SHORES)**

75. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

76. The actions of the City of Gulf Shores in negligently training Ralph Pereda, Mark Perkins, and David Dryer how to handle parent complaints and how to perform background checks on coaches were careless, neglectful, and reckless. As such, said actions and inactions of the City of Gulf Shores, Ralph Pereda, Mark Perkins, and David Dryer constituted negligence against the Plaintiffs.

77. As a proximate result of said negligence, plaintiffs were caused physical injury, apprehension, fear, mental anguish, embarrassment, and humiliation.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendants, plus interest and costs, and any other relief as is just and proper.

#### **EIGHTH CAUSE OF ACTION**

**(NEGLIGENT SUPERVISION - AGAINST THE CITY OF GULF SHORES, RALPH PEREDA, AND MARK PERKINS)**

78. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

79. The actions of the City of Gulf Shores in negligently supervising Ralph Pereda, Mark Perkins, and David Dryer in their handling of all of the events listed above, was careless, neglectful, and reckless. As such, said actions and inactions of the City of Gulf Shores, Ralph Pereda, Mark Perkins, and David Dryer constituted negligence against the Plaintiffs.

80. The actions of Ralph Pereda in supervising Mark Perkins and David Dryer in their handling of all of the events listed above, was careless, neglectful, and reckless. As such, said actions and inactions of Ralph Pereda, Mark Perkins, and David Dryer constituted negligence against the Plaintiffs.

81. The actions of Mark Perkins in supervising David Dryer in his handling of all of the events listed above, was careless, neglectful, and reckless. As such, said actions and inactions of Mark Perkins, and David Dryer constituted negligence against the Plaintiffs.

82. As a proximate result of said negligence, plaintiffs were caused physical injury, apprehension, fear, mental anguish, embarrassment, and humiliation.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendants, plus interest and costs, and any other relief as is just and proper.

**NINTH CAUSE OF ACTION**

**(NEGLIGENT RETENTION - AGAINST THE CITY OF GULF SHORES)**

83. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

84. The actions of the City of Gulf Shores in negligently retaining Ralph Pereda, Mark Perkins, and David Dryer led to their handling of all of the events listed above, and such retention of them was careless, neglectful, and reckless. As such, said actions and inactions of the City of Gulf Shores, constituted negligence against the Plaintiffs.

85. As a proximate result of said negligence, plaintiffs were caused physical injury, apprehension, fear, mental anguish, embarrassment, and humiliation.

WHEREFORE, premises considered, Plaintiffs demand judgment against the Defendants, plus interest and costs, and any other relief as is just and proper.

### **TENTH CAUSE OF ACTION**

#### **(WANTONNESS - AGAINST ALL DEFENDANTS)**

86. The Plaintiffs adopt and reallege all prior paragraphs as are fully set out herein.

87. That the Defendants' actions and omissions as outlined in the facts here preceding were willful and wanton.

88. As a proximate cause of the wantonness and willfulness of the Defendants, the Plaintiffs were caused physical injury, apprehension, fear, mental anguish, embarrassment, and humiliation.

WHEREFORE, premises considered, Plaintiffs demand judgment against Defendants, for compensatory and punitive damages in the amount of \$250,000,000.00, plus interest and costs, and any other relief as is just and proper.

/s/ Christopher A. Callaghan  
Christopher A. Callaghan (CAL074)  
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(251) 285-3425  
[chris@callaghanlawoffice.com](mailto:chris@callaghanlawoffice.com)

**PLEASE SERVE THE FOLLOWING DEFENDANTS BY SHERIFF AT THE FOLLOWING LOCATIONS:**

**Ralph Pereda**  
**Bodenhamer Recreation Center**  
**310 West 19th Ave.**  
**Gulf Shores, AL 36542**

**Mark Perkins**  
**Bodenhamer Recreation Center**  
**310 West 19th Ave.**  
**Gulf Shores, AL 36542**

**David Dryer**  
**Bodenhamer Recreation Center**  
**310 West 19th Ave.**  
**Gulf Shores, AL 36542**

**Albert Jason Byrd**  
**19664 W. 36th Ave., Apt. 402**  
**Gulf Shores, AL 36542**

**Dequinton Clark**  
**2117 N. Alston St.**  
**Foley, AL 36535**

**Rebecca Walker**  
**2117 N. Alston St.**  
**Foley, AL 36535**

**City of Gulf Shores**  
**c/o Wanda Parris, City Clerk**  
**1905 W. 1st St.**  
**Gulf Shores, AL 36542**